

JONES DAY  
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*Attorneys for Debtors and Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re:	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	Case No. 08-13555 (JMP)
	:	
	:	(Jointly Administered)
	:	
Debtors.	:	
	:	
-----X		

**NOTICE OF SUBPOENA ISSUED PURSUANT TO  
ORDER GRANTING THE DEBTORS AUTHORITY TO ISSUE  
SUBPOENAS FOR THE PRODUCTION OF DOCUMENTS AND  
AUTHORIZING THE EXAMINATION OF PERSONS AND ENTITIES**

Pursuant to the Order Granting the Debtors Authority to Issue Subpoenas for the Production of Documents and Authorizing the Examination of Persons and Entities, entered on November 23, 2009 (the “Order”),<sup>1</sup> the Court granted Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases (together, the “Debtors”) authority to issue subpoenas requiring persons or entities to produce documents to the Debtors and/or submit to examinations by the Debtors.

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<sup>1</sup> All capitalized terms used but not defined herein shall have the meanings ascribed to them in the Order.

As required by the Order, the Debtors hereby file: (i) notice of the subpoena, naming the witness and setting forth the date, time and place of any examination (attached hereto as Exhibit A); and (ii) a declaration of service (attached hereto as Exhibit B).

Dated: October 27, 2011  
New York, New York

JONES DAY

s/ Laura Washington Sawyer  
Aviva W. Sisitsky  
Laura Washington Sawyer  
JONES DAY  
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**EXHIBIT A**  
**NOTICE OF SUBPOENA**

Name of Witness:	Tobacco Settlement Financing Corporation
Date of Service of Subpoena:	October 26, 2011
Subject of Subpoena:	Production of documents pursuant to Fed. R. Bankr. P. 2004
Date, Time and Place of any Examination	Documents to be produced by November 28, 2011 at 10:00 A.M. (ET) at: Jones Day, 222 East 41st Street, New York, New York 10017

**EXHIBIT B**

**DECLARATION OF SERVICE**

## **RETURN OF SERVICE**

### **UNITED STATES BANKRUPTCY COURT Southern District of New York**

Index Number: 08-13555(JMP)

Date Filed: \_\_\_\_\_

In re:  
**LEHMAN BROTHERS HOLDINGS, INC., et al.**

Received by ASK Litigation Support, Inc. to be served on **TOBACCO SETTLEMENT FINANCING CORPORATION, 4th fl., 641 Lexington Ave., New York, NY 10022.**

I, Simon Kahn, do hereby affirm that on the **26th day of October, 2011 at 12:50 pm, I:**

Personally delivered a true copy of the **Subpoena for documents with Exhibit A** to Maryann Vitacco, Sr. Legal Ass't. and that said documents were in actuality delivered to the business at the location noted above

**Additional Information pertaining to this Service:**

The service herein was for a subpoena with a return date of Nov. 28, 2011, superceding a subpoena served earlier on 10/26/11 @ 10 am. Acceptance was on behalf of The Tobacco Settlement Financing Corporation

**Description** of Person Served: Age: 52, Sex: F, Race/Skin Color: Caucasian, Height: 5'4", Weight: 150, Hair: Reddish Brown, Glasses: N

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct. Executed on 10/27/11



**Simon Kahn**  
Process Server

**ASK Litigation Support, Inc.  
D/B/A Firm Service  
130 East 18th St., Apt. 16 B  
New York, NY 10003  
(212) 481-9000  
Our Job Serial Number: 2011000363  
Ref: 089600-016075**